Testimony of

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Senator John McCain, Chairman

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Thank you for the opportunity to testify today regarding the Children's Protection from Violent Programming Act (S. 876). I am one of several researchers who led the National Television Violence Study (NTVS), a three-year project sponsored by the National Cable Television Association that examined the depiction of violent behavior across more than 8,000 programs. I have also recently completed a major study funded by the Kaiser Family Foundation that assesses the accuracy of the ratings applied to programs by the television industry's V-chip system. Both of these studies have important implications for the policy debate regarding television violence. In my remarks here today, I will briefly summarize key findings from each of these studies, and then address their implications for the legislation proposed by Senator Hollings.

Overview of the National Television Violence Study

The NTVS project represents the largest investigation of media violence yet produced by the scientific community, and involved more than a dozen of the nation's leading media effects researchers. Independent studies were pursued at four university sites (University of California, Santa Barbara; University of North Carolina, Chapel Hill; University of Texas, Austin, University of Wisconsin, Madison), each examining a different aspect of the issues raised by media violence.

The UCSB research team was responsible for the central element of the project, a content analysis of the nature and extent of violence on television. Over a three year period, from 1994 to 1997, we systematically examined the program content on 23 of the most frequently viewed channels on television, including both broadcast and cable networks. In our research, we did not simply count up all the violent actions, as many previous studies had done; rather, whenever we observed any violence, we carefully analyzed the context surrounding it. We examined such questions as:

- Who committed violent acts?
- Was the violence rewarded or punished?
- Were the realistic consequences of violence presented?
- Was the violence shown graphically, with extreme blood and gore?

The answers to these and other related questions allow us to estimate the risk of harmful effects associated with children's exposure to each violent portrayal.

The presence or absence of different contextual features has been shown to either increase or diminish the risk of three types of harmful effects from viewing TV violence. These effects include: (1) children's learning of aggressive attitudes and behaviors; (2) desensitization, or an increased callousness towards victims of violence; and (3) increased or exaggerated fear of being victimized by violence. By tracking the pattern of contextual features associated with most violence on television, our research allows us to evaluate the risk of harm from children's exposure to such material.

Conclusions from the NTVS Research

At the end of our three-year study, we reached several key conclusions:

***1. Violence is widespread across the television landscape*.** Turn on a television set and pick a channel at random; the odds are better than 50-50 that the program you encounter will contain violent material. To be more precise, 60% of all shows sampled across the entire three year project contained some form of violence. Our analysis identified an average of 6,000 violent interactions in a single week of programming across the 23 channels that we studied, including both broadcast and cable networks. More than half of the violent shows (53%) contained lethal acts, and one in four of the programs with violence (25%) depicted the use of a gun.

2. Most violence on television is presented in a manner that increases its risk of harmful effects on child-viewers. More specifically, most violence on television follows a highly formulaic pattern that is both sanitized and glamorized.

By sanitized, we mean that portrayals fail to show realistic harm to victims, both from a short and long-term perspective. Immediate pain and suffering by victims of violence is included in less than half of all scenes of violence. More than a third of violent interactions depict unrealistically mild harm to victims, grossly understating the severity of injury that would occur from such actions in the real world. In sum, most depictions sanitize violence by making it appear to be much less painful and less harmful than it really is.

By glamorized, we mean that violence is performed by attractive role models who are often justified for acting aggressively and who suffer no remorse, criticism, or penalty for their violent behavior. More than a third of all violence is committed by attractive characters, and more than two-thirds of the violence they commit occurs

without any signs of punishment.

3. There has been no meaningful change in the overall presentation of violence since 1994. The attached summary table of findings comparing the 1994-95, 1995-96, and 1996-97 television seasons (see next page) illustrates the tremendous degree of consistency that is found in violent portrayals. Across our entire study, which identified approximately 18,000 violent interactions, the content measures which examined the nature and extent of violence varied no more than a few percent each from year to year. That consistency clearly implies that the portrayal of violence is highly stable and formulaic -- and unfortunately, this formula of presenting violence as glamorized and sanitized is one that enhances the risk of harmful effects for the child audience. More recent research that I will turn to in a moment indicates that this situation has not changed since the NTVS project was completed.

In sum, the NTVS study establishes clearly that the level of violence on television poses substantial cause for concern. It demonstrates that violence is a central aspect of television programming that enjoys remarkable consistency and stability over time.

The V-chip Study

At the conclusion of the NTVS project, the Kaiser Family Foundation commissioned a new content analysis project at UCSB to evaluate the accuracy of the ratings applied to programs for the television industry's V-chip system. For this study, we employed the same methods that were used in the NTVS research. We defined and measured violence using identical techniques, and we examined a large and

representative sample of more than 1,000 television programs airing on both broadcast and cable channels in 1997-98.

This study provides us with two key conclusions, the second of which is particularly salient for your consideration here today.

1. In general, the age-based ratings for most general audience programs are applied in a manner that reasonably reflects the content of those shows. For each of the age-based rating categories (TV-G, TV-PG, TV-14, TV-MA), the V-chip system provides a brief description of the level of violence for programs in that category. TV-G indicates "little or no violence;" TV-PG indicates "moderate violence;" TV-14 indicates "intense violence;" and TV-MA indicates "graphic violence." Although the TV-MA rating is almost never used, the study indicates that programs with the strongest violence tend to receive a TV-14 rating, and that TV-G programs generally contain little or no violence as the rating system indicates. Bearing in mind that V-chip ratings are applied in decentralized fashion, with each program provider judging their own material, our study certainly suggests a good-faith effort on the part of the TV industry to apply age-based ratings to their programs.

2. However, content descriptors are <u>not</u> being applied to the vast majority of shows that contain violence. Those who have followed the V-chip debate closely will recall that the television industry agreed to add content descriptors in response to public concern that the original age-based rating system provided inadequate information for parents. Four content descriptors were adopted for general audience

programs -- “V” for violence, “S” for sex, “D” for sexual dialogue, and “L” for adult language. An “FV” label -- which signifies fantasy violence -- was also adopted for labeling violence in children’s programs.

The Kaiser Foundation V-chip study demonstrates clearly that the vast majority of programs which contain violence do not receive a “V” rating. While 21% of programs with violent material did display a “V” rating, 79% did not. In other words, roughly four out of every five programs on television that feature violence *DO NOT* receive a “V” content rating.

One might ask, are the programs that lack the “V” rating merely ones that feature just isolated scenes or only limited forms of violence? A closer examination of the data reveals that is hardly case. Our composite week study identified 318 violent programs that lacked a “V” label, and these shows <u>averaged</u> 5 violent scenes per program with a moderate level of intensity.

A parent who would choose to block out all programs with a “V” designation might reasonably assume that he or she was screening out most violent material. Indeed, a recent survey by The Kaiser Family Foundation found that a majority (55%) of parents believed just that -- that a “V” would be applied to any program containing violence. But our content analysis study makes clear that this assumption would be far off the mark. As presently operated, 4 out of 5 violent programs would “slip through the cracks” of the V-chip rating system. That failure ratio is so great as to threaten the viability of the V-chip as a meaningful tool for addressing concerns about violence on television.

Implications for the Current Legislative Proposal

There are several key implications of the research I've reviewed here today for the legislative proposal S 876, the Children's Protection from Violent Programming Act.

It is well established by a compelling body of scientific research that television violence poses a risk of harmful effects for child-viewers. While exposure to media violence is not necessarily the most potent factor contributing to real world violence and aggression in the United States today, it is certainly the most pervasive. Millions of children spend an average of at least 20 hours per week watching television, and this cumulative exposure to violent images can shape young minds in unhealthy ways.

The National Television Violence Study demonstrates that most TV programs contain violence, and that most violence is presented in a fashion that increases its risk of harmful effects on young audiences. When coupled with the extensive body of evidence documenting these harmful effects, the NTVS research establishes a compelling governmental interest in reducing children's exposure to the violent portrayals most commonly found on television.

The most recent attempt to address this concern is the V-chip technology. In theory, the V-chip holds the potential to significantly reduce children's exposure to television violence *in those families that choose to use it*. Naturally, some have objected that the impact of the V-chip will be limited because it is likely that many parents simply won't bother with this new technology. But the findings from the Kaiser Foundation study pose an even more serious threat to the utility of the V-chip.

If violent programs are not accurately labeled, then even the most pro-active, well-

intentioned efforts of parents using the V-chip device cannot effectively reduce children's exposure to TV violence. Indeed, if the industry allows violent programs to continue to air without a "V" rating attached, then the V-chip policy will ultimately prove to be a distraction at best -- or an obstacle at worst -- if it precludes us from taking other steps toward solving the problems associated with TV violence.

In contrast, the "safe harbor" approach to regulating violence on television would protect all children in all families from exposure to violence during certain times of day. This approach to restricting sensitive material is employed in other countries, such as England, where 9:00 p.m. is known as the "watershed" -- the time after which adult material such as violence may be broadcast. Our television industry officials often ask why other countries don't have our problems with crime and violence even though they air plenty of American program imports chock-full of violent depictions. Well, in England part of the answer is that most young children are tucked into bed before these programs are allowed to be shown.

I do not mean to over-simplify the many causes that contribute to violence in any country -- the U.S., England, or elsewhere -- nor to suggest that media violence is the only or even the largest contributor to real-world violence. But I must underscore that children's cumulative exposure to thousands of violent actions during their early years is a significant risk factor that increases their likelihood of aggressive behavior later in life.

The U.S. has employed the "safe harbor" approach to regulating broadcast indecency for many years, and the courts have consistently ruled it to be constitutional.

Yet interestingly enough, we have a much stronger body of research evidence that documents the harms from viewing televised violence than we have assessing the effects of sexual material that might be categorized as indecent.

S. 876 offers arguably the strongest step yet proposed by Congress to limit the harms this nation suffers as a by-product of television violence. Is such a strong step called for? Certainly every citizen must think twice before supporting a governmental policy that restricts any freedom of speech. Yet these are the facts associated with the television industry's *choices* about how to exercise its freedom to "speak" in the form of violent entertainment:

1) The television industry *chooses* to include violence in most of the programs; that it delivers to the American public;

2) The television industry *chooses* to present most violence in glamorized and sanitized formats, even though we know this increases the risk of harmful effects for child-viewers;

3) The television industry *chooses* to employ the V-chip rating system as its primary defense against the harms caused by TV violence, and yet;

4) The television industry *chooses* not to apply the "V" content rating accurately to its violent programming, undermining the viability of the V-chip as an effective remedy to TV violence concerns.

It seems clear to me that the television industry has consistently made choices that move us closer and closer to the need for more stringent regulation such as S. 876. So long as the industry continues down this same path of choices, it will

inevitably create a situation that requires a stronger policy response such as this bill offers.

S. 876 is a legitimate proposal that warrants serious consideration. In the absence of any earnest industry efforts to ameliorate the current concerns about TV violence, it is a policy that warrants support.